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FEB 17 2006

1 **OFFICIAL FILING BY FACSIMILE**
2 **TRANSMISSION ON FEBRUARY 17, 2006 TO**
3 **FACSIMILE #571 272 8300, FOR EXAMINER**
4 **TIMOTHY D. COLLINS, TELEPHONE 571 272**
5 **6886 ART UNIT 3643; COURTESY COPY TO**
6 **EXAMINER COLLINS 571 273 6886**

7 fax of 33 pages
8 introduction and transmittal Non-Compliant 2 pages
9 Response 25 pages
Exhibit 1 is 6 pages
Total fax of 33 pages.

Our Ref. No. P-1542-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
LINKLATER

Serial No. 10/654,854

Filed: September 3, 2002

For: A TWO BARRELED FERRULE
FISHING LURE

Date: February 17, 2006

Group Art Unit: 3643

Examiner: Timothy D. Collins

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Commissioner:

In response to the communication from the Legal Instruments Examiner of
February 3, 2006, please consider the following:

1. The action of February 3, 2006 was not received at this office until February 17,
2006.

The Notice of Non-Compliance is that the Response and Amendment submitted
on January 20, 2006 did not have a signature. Your applicant now resubmits the entirety

Certificate of facsimile filing, Application
No. 10/654,854 on January 20, 2006 by *February 17, 2006*
Floyd E. Ivey in response to Office Action
of September 21, 2005. *non-compliance 2/3/06*

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1

1 of the January 20, 2006 Response with the two cover and transmittal pages.

2
3 Respectfully submitted,

4 
5 FLOYD E. IVEY
6 Registration No. 35,552

7 Telephone No. (509) 735-3581

8 *****
9 CERTIFICATE OF TRANSMISSION:

10 The undersigned hereby certifies that this correspondence is being facsimile transmitted
11 to FACSIMILE #571 272 8300 for official filing and to EXAMINER TIMOTHY D.
12 COLLINS, TELEPHONE 571 272 6886 ART UNIT 3643 as a COURTESY COPY TO
13 EXAMINER COLLINS 571 273 6886 on February 17, 2006.

14 
15 Signature

16 Floyd E. Ivey
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18
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27 Certificate of facsimile filing, Application
28 No. 10/654,854 on January 20, 2005 by 2/17/06
Floyd E. Ivey in response to Office Action
of September 21, 2005. 2/3/06

2

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USPTO
TO:Auto-reply fax to 5097353585 COMPANY: 6/4/2004 3:12 PM PAGE 1/001 Fax Server

Auto-Reply Facsimile Transmission



TO: Fax Sender at 5097353585
 Fax Information
 Date Received: 6/4/2004 3:10:17 PM [Eastern Daylight Time]
 Total Pages: 4 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

JUN-04'2004 13:10:17 5097353585		LIEBLER, IVEY & CONNOR		03411 P.001/033	
1 OFFICIAL FILING BY FACSIMILE 2 TRANSMISSION ON JUNE 4, 2004 TO 3 FACSIMILE #703-872 9306, FOR EXAMINER 4 BETHANY L. GRILES, TELEPHONE 703 305 1839 5 ART UNIT 3643 fax of 3 pages including 2 pages of Formal Substitute 6 drawings. Total fax of 4 pages.					
Our Ref. No. P-1542-021					
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
In Re Application of:			Date: June 4, 2004		
LINKLATER			Group Art Unit: 3643		
Serial No. 10/260,030			Examiner: Bethany L. Griles		
Filed: September 3, 2002					
For A TWO BARRELED PERRULE					
FISHING LURE					
AMENDMENT AND RESPONSE					
Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231					
Dear Commissioner:					
Advice to the Examiner of transmittal of formal substitute drawings. Please consider the following: Your applicant has filed its Official Response to the Examiner's Action of March 3, 2004 with this filing on June 3, 2004. Filed with the June 3, 2004 Response were draft substitute drawings. With this paper are the 2 sheets of Formal Drawings which will also be transmitted by mail to the Examiner.					
Respectfully submitted,					
 FLOYD E. IVEY Registration No. 33,552					
Certificate of facsimile filing. Application No. 10/260,030 on June 4, 2004 by Floyd E. Ivey of evidence of Formal Substitute Drawings also transmitted this day by mail.					
 BETHANY L. GRILES					
PAGE 1/4 * RCVD AT 04/26/04 13:10:17 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-1/1 * CDS:2738300 * CSID:5097353585 * DURATION (mm-ss):09-40					

Exhibit 1-1
in response 1/20/06

1 **OFFICIAL FILING BY FACSIMILE**
 2 **TRANSMISSION ON JUNE 4, 2004 TO**
 3 **FACSIMILE #703-872 9306, FOR EXAMINER**
 4 **BETHANY L. GRILES, TELEPHONE 703 305 1839**
 5 **ART UNIT 3643** fax of 3 pages including 2 pages of Formal Substitute
 6 drawings. Total fax of 4 pages.

Our Ref. No. P-1542-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
LINKLATER

Date: June 4, 2004

Serial No. 10/260,050

Group Art Unit: 3643

Filed: September 3, 2002

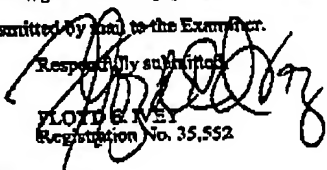
Examiner: Bethany L. Griles

For: A TWO BARRELED FERRULE
FISHING LURE**AMENDMENT AND RESPONSE**Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Commissioner:

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 Drawings which will also be transmitted by mail to the Examiner.

Respectfully submitted,


 FLOYD E. IVEY
 Registration No. 35,552

Certificate of facsimile filing, Application
 No. 10/654,854 on June 4, 2004 by
 Floyd E. Ivey of evidence of Formal Substitute
 Drawings also transmitted this day by mail.

TX RESULT REPORT

NAME: LIEBLER, IVEY & CONNOR
 TEL : 5097353585
 DATE: JUN. 04'2004 12:10

SESSION	FUNCTION	NO.	DESTINATION STATION	DATE	TIME	PAGE	DURATION	MODE	RESULT
5611	TX	01	917038729306	JUN. 04	12:09	004	00H01'00"	ECH	OK

Ex 1-2 with
 response 11/20/06

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Our Ref. No. P-1542-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
LINKLATER

Date: June 4, 2004

Serial No. 10/260,050

Group Art Unit: 3643

Filed: September 3, 2002

Examiner: Bethany L. Griles

For: A TWO BARRELED FERRULE
FISHING LUREAMENDMENT AND RESPONSEHon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Commissioner:

Advice to the Examiner of transmittal of formal substitute drawings. Please consider the following: Your applicant has filed its Official Response to the Examiner's Action of March 3, 2004 with that filing on June 3, 2004. Filed with the June 3, 2004 Response were draft substitute drawings. With this paper are the 2 sheets of Formal Drawings which will also be transmitted by mail to the Examiner.

Respectfully submitted,

FLOYD E. IVEY
Registration No. 35,552

Certificate of facsimile filing, Application
No. 10/654,854 on June 4, 2004 by
Floyd E. Ivey of evidence of Formal Substitute
Drawings also transmitted this day by mail.

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Ex 1-3 with
response 1/20/06

1 Telephone No. (509) 735-3581

2 *****

3 CERTIFICATE OF TRANSMISSION:

4 The undersigned hereby certifies that this correspondence is being facsimile transmitted
5 to Examiner Bethany L. Giles, 703-305 1839, Art Unit 3643, of the Patent and
6 Trademark Office Fax No. (703) 872 9306 on June 4, 2004.

7 Signature

8 Floyd E. Ivey

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28 Certificate of facsimile filing, Application
No. 10/654,854 on June 4, 2004 by

Floyd E. Ivey of evidence of Formal Substitute
Drawings also transmitted this day by mail.

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Ex 1-4 with
response 1/20/06

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7 fax of 31 pages
8 Response 25 pages
9 Exhibit 1 is 6 pages
10 Total fax of 31 pages.

Our Ref. No. P-1542-021

11 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

12 In Re Application of:
13 LINKLATER

Date: January 20, 2006

14 Serial No. 10/654,854

Group Art Unit: 3643

15 Filed: September 3, 2002

Examiner: Timothy D. Collins

16 For: A TWO BARRELED FERRULE
FISHING LURE

17 Hon. Commissioner of Patents and Trademarks
18 Washington, D.C. 20231

19 Dear Commissioner:

20 In response to the communication from the Examiner dated September 21, 2005,
21 please consider the following:

22
23 **INFORMAL CONFERENCE WITH EXAMINER COLLINS**

24 Your applicant thanks Examiner Collins for the opportunity, on January 18, 2006,
25 to discuss several issues including 1) whether the action of September 21, 2005 was a

26
27 Certificate of facsimile filing, Application
28 No. 10/654,854 on January 20, 2005 by
Floyd E. Ivey in response to Office Action
of September 21, 2005.

1
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1 Final, 2) the submission of final drawings to the USPTO on June 4, 2005 and 3) the
2 extent of detail re: the "ferrule", in the Specification, relative to the new drawing 1A and
3 relative to new drawing 1A comprising New Matter.

4 The Office Action Summary stated that this Action of September 21, 2005 was
5 "non-final." However, at page 2 the examiner refers to a NEW FINAL REJECTION and,
6 at page 7, the Examiner states that THIS ACTION IS MADE FINAL. Examiner Collins
7 concluded that the "non-final" designation on the Office Action Summary was an error
8 and that the Action was final.

9 Re: the Drawings, the Office Action stated, at page 2, that "...the applicant has
10 stated that new formal drawings were to be filed shortly after 6/3/04. No new formal
11 drawings have been filed to the date of this action..." Your applicant respectfully advised
12 that formal drawings were submitted on June 4, 2004. The Examiner asked that any
13 Response to this Office Action provide the document demonstrating the filing and that it
14 is possible that a submission was not scanned.

15 Re: the matter of the Examiner's statement of insufficiency of "...of detail re: the
16 "ferrule", in the Specification, relative to the new drawing 1A.", with this resulting in the
17 Examiner's conclusion that new Fig. 1A was New Matter, your applicant respectfully
18 observed description of the ferrule in the original Specification at page 2 commencing at
19 line 12 and at page 4 commencing at line 9. Your applicant advised that instances in the
20 Specification where ferrule detail is found in the Specification would be addressed in this
21 Response.

22 Also discussed were the options relative to the New Final Action including 1.)
23 filing a Response with the intent to clean up and overcome the Final, 2.) filing a RCE or
24 3.) appealing with the expectation that the present appeal would receive an appeal from
25 this final. Discussed was the real fact that small inventors are seriously impacted by each
26

27 Certificate of facsimile filing, Application
28 No. 10/654,854 on January 20, 2005 by
Floyd B. Ivey in response to Office Action
of September 21, 2005.

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1 interaction and that the Final, if an RCE is required, requires another filing fee. Such fees
2 render impossible for the small inventor to utilize the patent process.

3 Your applicant greatly appreciated the comments by the Examiner and found them
4 to be very helpful. Your applicant now files a Response intended to clean-up and meet
5 the objections and rejections of the Examiner with the hope that the Application might be
6 returned to prosecution and allowed.

7 8 AMENDMENT AND RESPONSE

9 I. INTRODUCTORY COMMENTS

10 Petition for filing in the First Month

11 The applicant respectfully observes that this response is filed in the First Month
12 and petitions for the extension of time to file following the Examiner's Communication
13 of September 21, 2005. The Examiner is hereby authorized to deduct fees for filing in the
14 First Month of \$60.00 and other fees owing from the deposit account of Liebler, Ivey &
15 Connor, P.S./Floyd E. Ivey, 35,552, Deposit account No. 50-0607.

16 17 II. Status of Drawings -

18 The Examiner, at page 2 of the Office Action, states that "...the applicant has
19 stated that new formal drawings were to be filed shortly after 6/3/04. No new formal
20 drawings have been filed to the date of this action..." The Examiner's attention is
21 respectfully drawn to pages annexed hereto as Exhibit 1 comprising 6 pages including the
22 USPTO fax receipt, the law office fax receipt and the four page Amendment and
23 Response transmitted on June 4, 2004 to the USPTO with two pages of new drawings of
24 Fig. 1, 1A, 2 and 3.

25 The Examiner has also stated at page 2, third paragraph, that the new informal

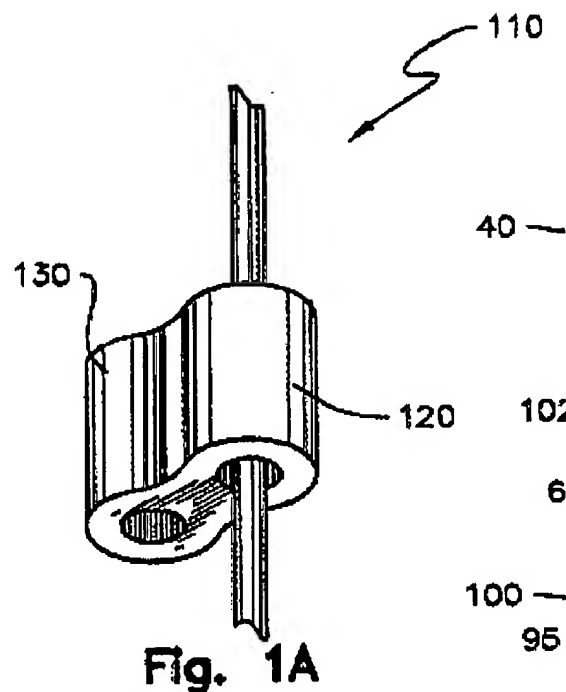
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27 Certificate of facsimile filing, Application
28 No. 10/654,854 on January 20, 2005 by
Floyd E. Ivey in response to Office Action
of September 21, 2005.


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1 drawings contain new matter. The Examiner states "The informal drawings filed 6/3/04
 2 contain new matter. The details of the ferrule and figure 1a were not discussed in enough
 3 detail to support the matter disclosed by the figure. Also similarly because of the
 4 numerous inconsistencies in reference numbers and parts of the drawings the drawings
 5 are being held as new matter and are not acceptable because of this new matter."

6 The elements of the invention as depicted in the Figures 1-6 with the original
 7 application were accurate in displaying the elements of the invention. The substituted
 8 drawings 1, 1A, 1B and 2 conform to the invention as described in the Detailed
 9 Description.

10 Your applicant respectfully submits that no new matter is added and that the
 11 Examiner, by review of the
 12 following excerpts from the
 13 Specification will find significant
 14 and indeed sufficient detail re: the
 15 ferrule. Fig. 1A illustrates the
 16 double barreled ferrule as follows:



27 Certificate of facsimile filing, Application
 28 No. 10/654,854 on January 20, 2005 by
 Floyd E. Ivey in response to Office Action
 of September 24, 2005

1 The Examiner is respectfully directed to the Specification as follows:

2
3 Specification page 2/lines 12-16: "...A double barreled ferrule with a first barrel,
4 secured to the primary shaft, has a second barrel which receives the lure shaft
5 distal from the interconnection with the primary shaft, thus securely affixing the
6 lure and reducing the likelihood that the lure will be "thrown off". The fishing
7 hook is affixed by ferrule means to the primary shaft.

8
9 Specification page 4/lines 9-13: " The lure shaft (10) locking means is, in the
10 preferred embodiment, by ferrule means comprised of a double barrel ferrule
11 (110) with the double barrel ferrule (110) having a first barrel (120) receiving and
12 securing the primary shaft (10) proximal the first end (20) and having a second
13 barrel (130) receiving the lure shaft (40) at the lure shaft first end (50).

14
15 Specification Page 4/line 31 to page 5/line 4: "...Once the lure bait (140) is
16 pierced by the lure shaft (40) the lure shaft first end (50) is then received by the
17 double barrel ferrule (110) at the second barrel (130) with the interaction of the
18 lure shaft first end (50) and the second barrel (130) locking the lure shaft first end
19 (50) and securing it from disengaging and thereby allowing release of the lure bait
20 (140).

21
22 Your applicant respectfully urges the Examiner as follows:

- 23 1. to find "enough detail to support the matter disclosed by the figure 1A",
24 2. to withdraw the conclusion that Fig. 1A constitutes new matter,
25 3. to accept the substitute drawings 1, 1A, 1B and 2.

26
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Floyd E. Ivey in response to Office Action
of September 21, 2005